

## **Solid Waste Advisory Committee Meeting Summary January 24, 2007**

### **MassDEP Updates**

- **7<sup>th</sup> Organics Summit:** The 7<sup>th</sup> Organics Summit will be held on March 6, 2007 in Marlborough, with site tours held on March 7, 2007. For more information, please check the MassDEP web site at <http://www.mass.gov/dep/recycle/reduce/orgsum07.htm> or contact Morgan Harriman at (617) 654-6580 or at [morgan.harriman@state.ma.us](mailto:morgan.harriman@state.ma.us).
- **2005 Solid Waste & Waste Reduction Data** – MassDEP will be holding a Data Subcommittee meeting in early March to review draft solid waste and waste reduction data. Once we have received input from the Data Subcommittee, MassDEP plans to present revised draft 2005 data at the next SWAC meeting scheduled for April 26, 2007. For more information on MassDEP's solid waste and waste reduction data or on the Data Subcommittee, please contact Alissa Bilfield at (617) 574-6820 or at [alissa.bilfield@state.ma.us](mailto:alissa.bilfield@state.ma.us).
- **Avian Flu Debris Management Plan** – MassDEP expects to issue a Discussion Draft Avian Flu Debris Management Plan shortly. Once this discussion draft is made available, MassDEP will hold a series of meetings to obtain input on the draft plan, to inform implementation, and to revise the draft plan as appropriate. For questions on this plan, please contact Julia Wolfe at (617) 292-5987 or at [julia.wolfe@state.ma.us](mailto:julia.wolfe@state.ma.us).

### **Proposed Hauler Certification Program and Subcommittee**

Steve Long of MassDEP provided an update on MassDEP's waste ban hauler and generator enforcement. He noted that MassDEP conducted outreach on waste ban hauler/generator enforcement in Spring 2006 through mailings and list serve announcements to haulers, solid waste facility operators, and generator trade associations such as Associated Industries of Massachusetts and Mass Retailers Association. This was followed by inspections in Fall 2006, and announcement of NONs to three haulers and nine generators in January 2007.

As the next step in the process, MassDEP has proposed a voluntary Hauler Certification program that could afford haulers a measure of regulatory flexibility on enforcement of Waste Bans, provided they meet certain criteria to be developed. The intent is to provide incentives to increase recycling by haulers, and to identify ways whereby haulers can reach back to generators — their customers — to also increase recycling.

Attendees said they appreciate that MassDEP is extending waste ban enforcement to generators. However, one hauler expressed the need for consistent information from MassDEP for haulers to communicate clear information to their customers on what they need to do to meet Waste Ban requirements. Several attendees remarked that solid waste generators are unaware of the waste bans and suggested that MassDEP conduct extensive outreach to inform the general public and employees and management of commercial, institutional, and other large generators of waste ban

requirements. Greg Cooper responded that in addition to the spring 2006 outreach on waste bans mentioned earlier, part of Hauler Certification would include education of the generator by the hauler.

Several attendees noted that in towns where residential trash collection is done by private subscription haulers (i.e., not municipally contracted trash service), haulers who do not provide recycling collection can charge cheaper, more competitive rates than those who do offer recycling. It was suggested that if a Hauler Certification program is implemented, MassDEP should encourage local boards of health to change bylaws to state that haulers have to be certified to do business in the towns and to tie into receiving MassDEP grant funding.

MassDEP is proposing to form a Hauler Subcommittee to obtain input on potential program criteria and goals for a Hauler Certification program. Steve asked for volunteers to participate and encouraged attendees to notify others who might be interested. MassDEP will also email an announcement of this subcommittee to the full SWAC list.

Steve invited suggestions from the attendees on who should participate in the Subcommittee besides those on his preliminary list: haulers, local governments, boards of health, solid waste management companies, and environmental groups. Attendees recommended adding recycling company representatives, solid waste facility operators, rental property owners and management companies, business associations in towns and communities with large industrial parks, and chambers of commerce. Several attendees offered to share specific suggestions for Subcommittee members.

Please refer to the presentation posted with these meeting notes for more details on the proposed Hauler Certification program. For additional information, or to participate in the Hauler Subcommittee, please contact Steve Long at 617-292-5734 or email at [Stephen.Long@state.ma.us](mailto:Stephen.Long@state.ma.us).

### **Illegal Dumping – Candid Camera Program**

Tim Dame of MassDEP's Environmental Strike Force (ESF) gave a presentation on the Anti-Dumping "Candid Camera" Video Initiative started in 2005. The Environmental Strike Force is an interagency task force comprised of DEP investigators and attorneys, the MA Attorney General's Office, and Environmental Police launched in 1989 to apprehend and enforce against high-level environmental violations.

The anti-dumping effort utilizes sophisticated surveillance cameras and other equipment to catch illegal dumpers in the act and furnish the evidence to prosecute them. The program started in Roxbury in May 2005 in cooperation with the City of Boston Inspectional Services Division, focusing on sites where frequent illegal dumping was observed. Thus far, the program has resulted in several orders with penalties issued by DEP and numerous fines from the cities of Boston and Lawrence. While the City of Boston does not know the full costs of illegal dumping, it found that just the tip fees for disposing of illegally dumped loads cost the City approximately \$180,000 in one year.

After the program's initial success, other cities and towns quickly became interested. Now MassDEP has obtained more systems and is partnering with municipal agencies to loan equipment, and to provide technical, investigative, and legal support to successfully enforce against those who dump illegally.

Tim's presentation included slide sequences of illegal dumpers, and graphically showed how a single, small illegally dumped load at a location attracts more dumping, and in short order grows to a sizable dumpsite. Tim also showed several DVD recordings of active dumping incidents. Tim's slide presentation is posted along with these meeting notes.

For more information about this effort, including requesting support for anti-dumping initiatives in your community, please contact Tim Dame at (617) 292-5540 or via email at [timothy.dame@state.ma.us](mailto:timothy.dame@state.ma.us).

### **Mercury Management Act Implementation Update**

Lori Segall of MassDEP gave a presentation on the Massachusetts Mercury Management Act and the current status of implementation. She handed out a fact-sheet and Implementation Schedule, and recapped highlights of the program. The implementation schedule can be found below, and the fact sheet can be found on the MassDEP website at <http://www.mass.gov/dep/toxics/laws/hglawfax.doc>.

Attendees asked a number of questions, particularly about fluorescent lamps. The MA law allows for a manufacturer-funded education program with mandatory recycling targets that increase over a period of 4 years. If the recycling targets are not met, the lamp manufacturing industry as a whole must pay up to \$1,000,000 into a fund administered by DEP to provide grants to municipalities for their mercury collection programs. A trade association representing a large majority of lamp manufacturers has submitted an education plan to DEP with a focus on directing lamp users to the website: <http://www.lamprecycle.org>. On May 1, 2008, a disposal ban on all mercury-containing lamps, including low mercury fluorescent lamps, will take effect.

Attendees also asked how flat screen televisions that do not contain cathode ray tubes (CRTs) would be handled under the mercury law. They will be banned from disposal. Lori stated that separate legislation calling for an electronics take-back program is pending and that MassDEP expects that these flat screen televisions would be covered under this legislation if it is passed.

For questions on the Mercury Management Act, please contact Lori Segall at (617) 654-6595 or via email at [lori.segall@state.ma.us](mailto:lori.segall@state.ma.us).

### **New Bulky Waste Policy**

Jamie Doucett of MassDEP reviewed the recently enacted MassDEP Policy on Municipal One-Day Bulky Waste Collections. This policy, which was issued in October 2006, allows municipalities to collect bulky waste from residents for disposal up to four times per year at a non-site-assigned location. Prior to issuance of this policy, these events were required to be held at a site-assigned location. The policy allows municipalities to collect bulky wastes such as

furniture, tires, scrap metal, and also electronics, small propane tanks, and universal wastes generated by residents.

Issuance of this policy has raised questions about how it applies to collections of CRTs and other electronics for recycling, as well as other municipal collection programs such as Zero Waste Days or reuse events. This policy does not affect existing requirements or programs to collect CRTs or other electronics for recycling, or recycling collection events. The policy can be found on the MassDEP web site at <http://www.mass.gov/dep/recycle/laws/1daymbwc.doc>.

For questions or more information on this policy, please contact Jamie Doucett at (617) 292-5868 or via email at [james.doucett@state.ma.us](mailto:james.doucett@state.ma.us).

### **Next SWAC Meeting**

The next SWAC Meeting is scheduled for Thursday, April 26, 2007, from 1:00 p.m. to 3:00 p.m. at MassDEP, One Winter Street, in Boston.

# IMPLEMENTATION SCHEDULE: MERCURY IN PRODUCTS LEGISLATION

PHASE I			PHASE II		
Section	Topic	Deadline	Section	Topic	Deadline
§6B	<u>Product Notification</u>	10/1/06	§ 6D	Phase-out of specific products, Part 1	5/1/08
§ 6G	Ban on purchase of mercury-containing products by schools	10/1/06	§ 6E	Phase –out of specific products, Phase 2	5/1/09
§ 6H	Manufacturer’s disclosure of mercury content in products to health care facilities	10/1/06	§ 6I (a)	Disposal ban	5/1/08
§ 6C	Auto Switches:		§ 6I (b)	DEP public education program starts	5/1/08
	Ban on sale of vehicles containing mercury switches made after this date	1/1/07	§ 13	DEP public education program starts	5/1/07
	Manufacturers & recyclers submit 2005 number of EOL vehicles containing mercury switches, estimates through 2030	1/1/07	§ 6K	Product Labeling Required	5/1/08
	<i>Alternative Switch Recovery/Recycling Plans:</i> Manufacturers implement alternative switch recycling plans Manufacturers demonstrate capture rate (50% goal) Manufacturers demonstrate capture rate (90% goal)	1/1/07 12/31/07 12/31/08	§6M	State Purchasing Preference for non-mercury products	No deadline
	<i>Switch Recovery/Recycling Plans with bounty:</i> Manufacturers submit switch recycling plans with bounty to DEP	8/1/07			
§ 6J (d), (e)	<u>Lamp Collection/Recycling:</u> <u>Public Education Program</u>	1/1/07			
§ 6J	Other Collection/Recycling Programs	5/1/07			